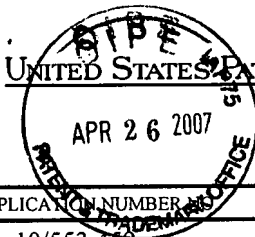


#327 *lfw*

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U.S. APPLICATION NUMBER 10/553,459	FIRST NAMED APPLICANT Paul Hallenbeck	ATTY. DOCKET NO. 3802-165-27 NATL
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INTERNATIONAL APPLICATION NO.
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PCT/US04/11622

I.A. FILING DATE 04/15/2004	PRIORITY DATE 04/15/2003
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29585  
 DLA PIPER US LLP  
 153 TOWNSEND STREET  
 SUITE 800  
 SAN FRANCISCO, CA 94107-1957

CONFIRMATION NO. 6977

371 FORMALITIES LETTER



\*OC000000023212781\*

Date Mailed: 04/03/2007

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 10/17/2005
- Copy of the International Search Report filed on 10/17/2005
- Preliminary Amendments filed on 11/17/2006
- Information Disclosure Statements filed on 02/27/2006
- Biochemical Sequence Diskette filed on 03/09/2007
- Oath or Declaration filed on 03/09/2007
- Biochemical Sequence Listing filed on 03/09/2007
- U.S. Basic National Fees filed on 10/17/2005
- Priority Documents filed on 10/17/2005

Applicant's response filed 03/09/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 08/23/2006 have not been completed.

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content

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of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/553,459	PCT/US04/11622	3802-165-27 NATL



# TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

<b>Application No.</b>	<b>10/553,459</b>	
	<b>Filing Date</b>	April 15, 2004
	<b>First Named Inventor</b>	Hallenbeck, et al.
	<b>Group Art Unit</b>	To be assigned
	<b>Examiner Name</b>	To be assigned
<b>Total Number of Pages in this Submission:</b>	<b>Attorney Docket No.</b>	3802-165-27 NATL (306229-327)

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input checked="" type="checkbox"/> Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Supplemental Information Disclosure Statement (IDS) <input type="checkbox"/> Substitute PTO Form 1449 <input type="checkbox"/> Cited References  <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Notification of Defective Response <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input checked="" type="checkbox"/> Statement Under 37 CFR § 1.821-1.1825 <input type="checkbox"/> Combined Revocation and Power of Attorney and 37 C.F.R. §3.73(b) and 3.71 Statements and Request for Change of Attorney Docket Number <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After-Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC ( <b>Appeal Notice, Brief, Reply Brief</b> ) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s): <input checked="" type="checkbox"/> CRF Sequence Listing <input checked="" type="checkbox"/> Sequence Listing (paper copy)
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### REMARKS:

Please address all correspondence to Customer Number 29585

The Director is hereby authorized to charge any fees that may be required in connection with the papers submitted herewith that have been inadvertently omitted, specifically including any extension fees that may be required under 37 CFR § 1.136(a), to Deposit Account No. 07-1896 (Charge No. 3802-165-27 NATL (306229-327))

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Signature		Date	4/26/07
Name	Linda R. Judge	Reg. No.	42,702
Address	153 Townsend St., Suite 800, San Francisco, CA 94107	Telephone	415-836-2586
		Facsimile	415-836-2501

## CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being filed with the United States Patent and Trademark Office via Express Mail Label EV 866301691 US on the date indicated below to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

April 26, 2007

Carissa Hemphill